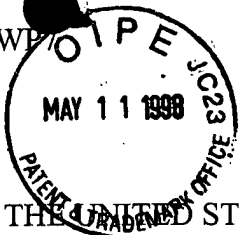


GSF9763.TDE

K:\ACOLLINS\AJC75:WP

AJC:kfd

May 6, 1998



2921
#5

PATENT APPLICATION

Docket No.: GSF97-03A

1611 / Box Sequence

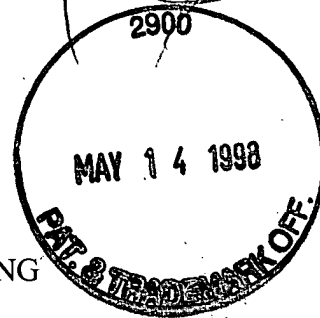
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Walter H. Günzburg, David Winder and Robert M. Saller

Serial No.: 08/999,690

Filed: September 8, 1997

For: VECTORS CARRYING THERAPEUTIC GENES ENCODING
ANTIMICROBIAL PEPTIDES FOR GENE THERAPY



CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231	
on <u>May 6, 1998</u>	<u>Karen DiRocco</u>
Date	Signature
<u>KAREN DiRocco</u>	
Typed or printed name of person signing certificate	

TRANSMITTAL OF FILING FEE AND DECLARATION/POWER OF ATTORNEY

IN RESPONSE TO DECISION GRANTING PETITION

INITIAL PATENT EXAMINATION DIVISION

Assistant Commissioner for Patents

Washington, D.C. 20231

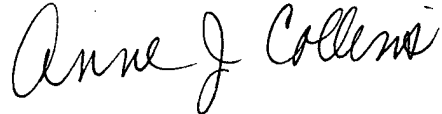
Sir:

In response to the Decision Granting Petition dated March 12, 1998, enclosed herewith is an executed Declaration/Power of Attorney for filing in the referenced application. Also enclosed is a check in the amount of \$1,112.00 which includes the application filing fee in the amount of \$982.00 and surcharge in the amount of \$130.00 for a large entity. A copy of the Decision is attached. Although the Decision did not

indicate that the referenced application does not comply with the Sequence Rules, a Sequence Listing is also enclosed for filing in the application.

Please charge Applicants' Attorney's Deposit Account No. 08-0380 for any additional fees that may be due in this matter. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,



Anne J. Collins

Registration No. 40,564

Telephone (781) 861-6240

Facsimile (781) 861-9540

Lexington, Massachusetts 02173

Date: *May 6, 1998*

MAY 11 1998

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

FEE TRANSMITTAL FOR
PATENT APPLICATIONS

Attorney Docket Number

GSF97-03A

Application Number

08/999,690

First Named Inventor

Walter H. Gunzburg

CLAIM CALCULATION (includes any preliminary amendment)

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR 1.16(c) or (j))	25	- 20* =	5	x \$ 22 =	\$ 110.00
INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	4	- 3** =	1	x \$ 82 =	\$ 82.00
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))				+ \$ 270 =	\$
				BASIC FEE (37 CFR 1.16(a))	\$ 790
				Total of above Calculations =	\$ 982.00
				Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =	\$
				TOTAL =	\$ 982.00
				Surcharge - Fee for Late Filing of Declaration (37 C.F.R. 1.16(e)) =	\$ 130.00
				Petition for Extension of Time Fee (37 C.F.R. 1.17) =	\$
				Assignment Recordation Fee =	\$
* Reissue claims in excess of 20 and over original patent.				TOTAL =	\$ 1112.00
** Reissue independent claims over original patent					

1. Small entity status:

a. ☐ A small entity statement is enclosed.b. ☐ A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.c. ☐ Is no longer claimed.2. ☒ A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.3. ☒ A check is enclosed for \$ 1,112.00☐ Please charge \$ _____ to Deposit Account No. 08-0380.4. ☒ Other: Sequence DisketteSubmitted by
Typed or Printed Name

Anne J. Collins

Reg. Number

40,564

Signature

Anne J. Collins

Date

*May 6, 1998*Adjustment dated 11/12/1998, NTW:ITTY
8 SSALEEKU 00000030 08999690
04 FC:131

11/12/1998 NTW:ITTY 00000001 08999690

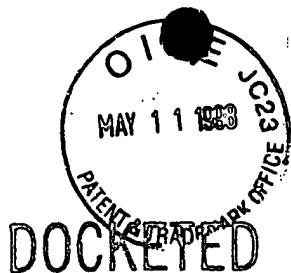
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05/13/1998 SSALEEKU 00000030 08999690

01 FC:106
02 FC:106
03 FC:102
04 FC:121

-790.00 DP

790.00 DP



5-12-98

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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER OF
PATENTS AND TRADEMARKS
Washington, D.C. 20231

COPY

Hamilton, Brook, Smith & Reynolds
Two Militia Drive
Lexington, MA 02173-4799

COPY MAILED

MAR 12 1998

OFFICE OF PETITIONS
AND PATENTS

In re Application of
Walter H. Gunzburg et al.
Application No. 08/999,690
Filed: September 8, 1997
Attorney Docket No. GSF97-03

:
: DECISION GRANTING
: PETITION
:
:

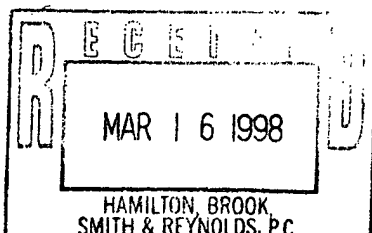
This is a decision on the petition filed March 6, 1998, requesting that an application of Walter H. Gunzburg et al. entitled "VECTORS CARRYING THERAPEUTIC GENES ENCODING ANTIMICROBIAL PEPTIDES FOR GENE THERAPY" (attorney docket No. GSF97-03) be accorded a filing date of September 8, 1997.

Petitioners allege that the original application papers were deposited in Express Mail service on September 8, 1997, in accordance with the procedures set forth in 37 CFR 1.10 and that the application is entitled to the date of deposit in Express Mail service as the filing date. In support, petitioners have supplied a copy of the original application papers showing the Express Mail label No. EG978842034US thereon and a copy of Express Mail customer receipt No. EG978842034US displaying the September 8, 1997 date applied thereon by the United States Postal Service. Further, the petition is signed by Ann J. Collins, a registered practitioner, and includes a statement verifying the application papers filed on March 6, 1998, as a copy of the original correspondence.

In view of the above, the petition is granted. No petition fee is required and none has been charged.

The application has been assigned application No. 08/999,690. The copy of the application supplied on March 6, 1998, will be used to process the application.

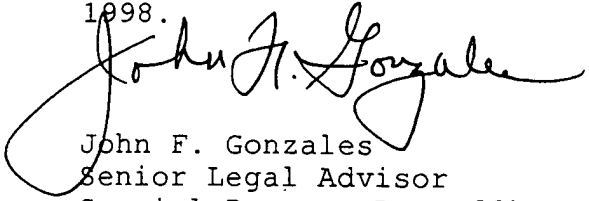
Applicant should notify this office if the original papers are subsequently discovered in the PTO so that the present duplicate



file can be merged with the original papers and any duplicate filing fee refunded.

Applicants are given **TWO MONTHS** from the date of this decision to pay the \$982.00 filing fee, to file a signed oath or declaration in compliance with 37 CFR 1.63 and to pay the \$130.00 surcharge set forth in 37 CFR 1.16(e) in order to avoid abandonment of the application. This time period may be extended pursuant to 37 CFR 1.136(a). The executed oath or declaration should identify the specification to which it is directed by reference to the above-identified application number and filing date. The response should be directed to the attention of Initial Patent Examination Division.

The application is being forwarded to Initial Patent Examination Division to await the filing fee, oath or declaration and surcharge and for further processing with a filing date of September 8, 1997, using the copy of the application papers supplied on March 6, 1998.



John F. Gonzales
Senior Legal Advisor
Special Program Law Office
Office of the Deputy Assistant Commissioner
for Patent Policy and Projects
(703) 305-9282

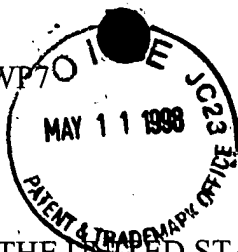
JFG

GSF9703.CDN

K:\ACOLLINS\AJC75:WP70

DEB:AJC:kfd

May 6, 1998



PATENT APPLICATION

Docket No.: GSF97-03A

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Walter H. Günzburg, David Winder and Robert M. Saller

Application No.: 08/999,690

Filed: September 8, 1997

For: VECTORS CARRYING THERAPEUTIC GENES ENCODING
ANTIMICROBIAL PEPTIDES FOR GENE THERAPY

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231	
on <u>May 6, 1998</u>	<u>Karen DiRocco</u>
Date	Signature
<u>KAREN DIROCCO</u>	
Typed or printed name of person signing certificate	

REQUEST FOR CHANGE OF DOCKET NUMBER

Customer Correction Office

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

Applicants' Attorney requests that the docket number of record for the above-referenced case be changed to GSF97-03A. This request is made to better identify this application within our offices.

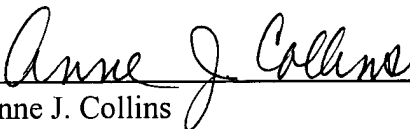
06/23/1998 KDUNCAN 00000025 08999690

01 FC:576

25.00 UP

A check in the amount of \$25.00 is enclosed. Please charge any additional fees that may be due in this matter to Attorney's Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,



Anne J. Collins
Registration No. 40,564
Telephone (781) 861-6240
Facsimile (781) 861-9540

Lexington, Massachusetts 02173

Date: *May 6, 1998*